

## EXHIBIT 109

Highly Confidential - Subject to Further Confidentiality Review

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

-----)  
IN RE: NATIONAL PRESCRIPTION )  
OPIATE LITIGATION ) Case No. 1:17-MD-2804  
-----) Hon. Dan A. Polster  
APPLIES TO ALL CASES )  
-----)

HIGHLY CONFIDENTIAL  
SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

The videotaped deposition of EDWARD BRATTON, called for examination, taken pursuant to the Federal Rules of Civil Procedure of the United States District Courts pertaining to the taking of depositions, taken before JULIANA F. ZAJICEK, a Registered Professional Reporter and a Certified Shorthand Reporter, at Bartlit Beck Herman Palenchar & Scott, LLP, Suite 400, 54 West Hubbard Street, Chicago, Illinois, on November 30, 2018, at 9:05 a.m.

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<p style="text-align: center;">Page 54</p> <p>1 understand what we needed to do.</p> <p>2 BY MR. MOUGEY:</p> <p>3 Q. The question I asked you was a little</p> <p>4 different. What I asked was: Is it important for you</p> <p>5 as a manager of the southern operation to have an</p> <p>6 understanding of the regulatory framework covering</p> <p>7 Walgreens' responsibilities in relation to monitoring</p> <p>8 of Schedule II and Schedule III opiates?</p> <p>9 MR. HILL: Object to the form.</p> <p>10 BY THE WITNESS:</p> <p>11 A. I -- I don't know how to answer that</p> <p>12 question.</p> <p>13 BY MR. MOUGEY:</p> <p>14 Q. What's confusing to you about that</p> <p>15 question? Is it important that you understand the</p> <p>16 regulatory framework?</p> <p>17 MR. HILL: Same objection.</p> <p>18 BY THE WITNESS:</p> <p>19 A. I think I have a general concept, but I</p> <p>20 don't think I'm an expert on all of the issues at</p> <p>21 every level of government, no.</p> <p>22 BY MR. MOUGEY:</p> <p>23 Q. Yeah, I don't -- I don't think I asked you</p> <p>24 about whether you were an expert at every level of</p>	<p style="text-align: center;">Page 56</p> <p>1 paragraph in your LinkedIn profile, correct?</p> <p>2 A. This is copied from my job posting.</p> <p>3 Q. Yes, sir. So you put this in there,</p> <p>4 right?</p> <p>5 A. I copy and pasted, yes.</p> <p>6 Q. You copied it. And it's accurate,</p> <p>7 correct?</p> <p>8 A. I believe so.</p> <p>9 Q. So Bratton 1, your profile: "Responsible</p> <p>10 for managing, creating, and maintaining controlled</p> <p>11 substance dispensing, monitoring and reporting</p> <p>12 programs."</p> <p>13 Is that accurate, sir?</p> <p>14 A. Yes.</p> <p>15 Q. And that was part of the scope of your</p> <p>16 responsibilities from February '13 on?</p> <p>17 A. Correct.</p> <p>18 Q. Second sentence:</p> <p>19 "Developed, recommends, implements</p> <p>20 programs, procedures and techniques which will</p> <p>21 identify and minimize loss of company assets and</p> <p>22 ensure the safety, compliance and security of the</p> <p>23 ordering and dispensing of controlled substances,"</p> <p>24 correct?</p>
<p style="text-align: center;">Page 55</p> <p>1 government. What I asked was is it important as a</p> <p>2 manager of the southern operation for Walgreens in</p> <p>3 pharmaceutical integrity to understand, just</p> <p>4 generally, the regulatory framework covering</p> <p>5 Walgreens' responsibilities in relation to monitoring</p> <p>6 Schedule II and Schedule III opiates?</p> <p>7 MR. HILL: Objection to the form.</p> <p>8 BY THE WITNESS:</p> <p>9 A. I'm not sure.</p> <p>10 BY MR. MOUGEY:</p> <p>11 Q. Has someone instructed you to -- to say</p> <p>12 "I'm not sure" to questions about what Walgreens'</p> <p>13 responsibilities were?</p> <p>14 A. No.</p> <p>15 Q. Have you been told just to -- if -- if</p> <p>16 anyone asks you about what Walgreens' responsibilities</p> <p>17 were, just to say I'm not sure?</p> <p>18 A. I'm trying to answer truthfully.</p> <p>19 Q. Well, let's go back to Bratton 1, okay.</p> <p>20 Manager of pharmaceutical integrity,</p> <p>21 southern operation, February 2013 to the present,</p> <p>22 right?</p> <p>23 A. Um-hum.</p> <p>24 Q. Okay. Now, you -- you put this next</p>	<p style="text-align: center;">Page 57</p> <p>1 A. Correct.</p> <p>2 Q. Now, when you say controlled substances</p> <p>3 in -- in this paragraph, that is a number of different</p> <p>4 types of drugs, correct?</p> <p>5 A. Correct.</p> <p>6 Q. And you understand that this litigation is</p> <p>7 about Schedule II and Schedule III opiates, correct,</p> <p>8 sir?</p> <p>9 A. Correct.</p> <p>10 Q. And you understand, sir, in your role as</p> <p>11 manager of the southern operation that those</p> <p>12 Schedule II and Schedule III opiates are highly</p> <p>13 addictive, correct?</p> <p>14 MR. HILL: Object to the form.</p> <p>15 BY THE WITNESS:</p> <p>16 A. My understanding is they can be addictive</p> <p>17 for some people.</p> <p>18 BY MR. MOUGEY:</p> <p>19 Q. Yes, sir, they can be addictive to some</p> <p>20 people.</p> <p>21 And did you understand in February</p> <p>22 of 2013, that the country was in the midst of an</p> <p>23 opiate crisis?</p> <p>24 MR. HILL: Object to the form.</p>

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<p style="text-align: right;">Page 58</p> <p>1 BY THE WITNESS:</p> <p>2 A. I believe that I was becoming aware of it, 3 yes.</p> <p>4 BY MR. MOUGHEY:</p> <p>5 Q. And how did you become aware of that in 6 February of 2013?</p> <p>7 A. Partially through my -- my work, 8 partially, you know, you -- the news and things you 9 see on television.</p> <p>10 Q. Well, let's talk about the partially 11 because of your work.</p> <p>12 How at work did you become aware that in 13 2013 the country was in the middle of an opiate 14 crisis?</p> <p>15 A. I don't recall the specific details. I 16 know that we -- it was something that was, you know, 17 in our minds as we were drafting our policies and 18 procedures.</p> <p>19 Q. It was in your mind.</p> <p>20 Help -- help me to understand how it got 21 in your mind?</p> <p>22 A. Direction from my boss --</p> <p>23 Q. Ms. Polster?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 60</p> <p>1 BY MR. MOUGHEY:</p> <p>2 Q. You don't recall. You don't recall 3 walking in the first month of my job and somebody 4 saying, We are in the middle of an opiate crisis, 5 people are dying every day, Florida is the hot bed, 6 you are in charge of the southern operation, there is 7 drugs migrating up to Ohio, and it is our job as 8 distributors to monitor and identify controlled 9 substances?</p> <p>10 Anything along those lines?</p> <p>11 MR. HILL: Objection to the form.</p> <p>12 BY THE WITNESS:</p> <p>13 A. I don't recall.</p> <p>14 BY MR. MOUGHEY:</p> <p>15 Q. Anything saying this is -- this is very, 16 very, very important that we are on the front line of 17 defense for Walgreens and we dispense as -- as many -- 18 or more opiates than anyone in the country?</p> <p>19 A. I don't recall.</p> <p>20 Q. You don't recall any meetings with a sense 21 of urgency like that?</p> <p>22 A. I -- when I first was in the role, we were 23 very focused on the settlement with the DEA and the 24 provisions that our legal teams had outlined that we</p>
<p style="text-align: right;">Page 59</p> <p>1 Q. And when you say "direction," what do you 2 mean?</p> <p>3 A. We would meet in meetings with our -- my 4 peers or our team members and discuss issues and she 5 would provide direction as to programs we should work 6 on.</p> <p>7 Q. Did anybody ever tell you that there had 8 been ongoing congressional investigations into the 9 opiate crisis almost 13 years by the time you started 10 in 2013?</p> <p>11 A. No.</p> <p>12 Q. Did anybody tell you that there was year 13 upon year upon year increase in the amount of opiates 14 dispensed across the country?</p> <p>15 A. I knew that. I don't know that anyone at 16 work told me that.</p> <p>17 Q. Did anyone ever as part of your training 18 advise you that the amount of deaths had increased, 19 overdose deaths related to Schedule II and 20 Schedule III opiates had increased exponentially 21 beginning in late '90s, early 2000s?</p> <p>22 MR. HILL: Objection to the form.</p> <p>23 BY THE WITNESS:</p> <p>24 A. I don't recall.</p>	<p style="text-align: right;">Page 61</p> <p>1 needed to implement. That was one of the critical 2 focuses at that time.</p> <p>3 Q. And the -- in the midst of the 4 investigations by the DEA, what are you referring to?</p> <p>5 A. The -- when I was there, it was the 6 settlement agreement that we had signed and so we 7 received a laundry list of -- of tasks and programs 8 and changes that we were working to implement.</p> <p>9 Q. And that was in -- the agreement was 10 signed.</p> <p>11 Do you have a recollection of when the 12 agreement was signed?</p> <p>13 A. Shortly after I started.</p> <p>14 Q. Like in June of 2013?</p> <p>15 A. That sounds right.</p> <p>16 Q. Were -- did anyone alert you or notify you 17 from your date in February of '13 until the date the 18 agreement was signed about the ongoing investigations?</p> <p>19 A. We were in discussions about the terms of 20 the settlement and what that might include. Some of 21 the things that the government had already outlined 22 that we had committed to.</p> <p>23 Q. Including the closing of six Walgreens' 24 stores in Florida, correct?</p>